

**DISTRICT ATTORNEY  
COUNTY OF NEW YORK  
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**OFFICER: JUSTIN CRISTIANO  
TAX NUMBER: 951891**

**DISCLOSURE ADVISORY**

For the person named above, whom the People may call as a witness, please be advised as follows.

1. Justin Cristiano is a named defendant in the civil action Justin Gill v. City of New York et al, 300362/2016, filed in Bronx Supreme Court regarding an incident which occurred February 5, 2014.
2. The New York City Police Department (NYPD) has deemed substantiated allegations that while assigned to the 48th Precinct Justin Cristiano: (A) on or about February 24, 2017, improperly used his Department vehicle to stop a perpetrator; (B) on or about February 24, 2017, wrongfully failed to make complete and accurate entries in his activity log; (C) on or about May 10, 2018, during an official Department interview conducted pursuant to the provisions of Patrol Guide Section 203-08, wrongfully made false statements, and (D) on or about February 25, 2017, wrongfully made or caused inaccurate entries in Department records, to wit: Threat, Resistance Or Injury (T.R.I.) incident worksheet, Collision Report – Police Department vehicle, or Police Accident Report. He pleaded guilty to these allegations.

These violations arose out of police observations of individuals fighting near Washington Avenue and East 185th Street. Officer Cristiano reported overhearing one of the fighters say to a bystander “Yo gimme the gun, gimme the gun.” One person then passed to the other a large dark object with a wooden handle. Officer Cristiano’s partner got out of the car and identified himself, and the person who received the object started to run. Officer Cristiano, in the unmarked car, chased after him. Ultimately, the individual turned the corner and started running on the sidewalk, and Officer Cristiano’s car headed toward the sidewalk, mounted the curb, and cut off the individual who ran into the car. Officer Cristiano then arrested the individual. The object turned out to be a large wood-handled knife in a leather sheath.

The Threat Resistance or Injury Report (TRI) prepared by Officer Cristiano described the officer’s actions as “Unintentionally struck subject with vehicle.” The Accident Report (prepared by a sergeant based on information from Officer Cristiano) stated that “Operator states while chasing fleeing suspect he lost control of the RMP and crashed into brick wall in front of building. Operator states fleeing suspect ran into the RMP as it collided with the wall.” The Collision Report (also based on information supplied by Officer Cristiano) stated “I started to skid, and I tried to avoid hitting the back of that parked car. The road was wet and I couldn’t see where they were.” Officer Cristiano gave the same account to NYPD investigators. The closing report on the matter concluded that the road appeared to be dry and that in an attempt to apprehend the fleeing perpetrator, PO Cristiano operated the vehicle in a reckless manner. The report further concluded that “The video clearly depicts PO Cristiano driving the vehicle onto the sidewalk to cut off the perpetrator, subsequently colliding with him and causing his injuries.”

3. The New York City Civilian Complaint Review Board (CCRB) deemed substantiated allegations that Justin Cristiano, on June 16, 2019, committed the violations of Abuse – Forcible Removal to Hospital and Discourtesy – Word. These findings arose out of an encounter at about 1:43 a.m. at West Fourth Street and Charles Street in the Sixth Precinct. The complainant had called 911 due to an interaction he had on the street with another civilian. Officer Cristiano and his partner responded to the resulting radio run. The officers separated the two men who were fighting, and one officer spoke to each man. After Officer Cristiano told the complainant he could leave, the complainant instead followed Officer Cristiano and said “No, I’m not gonna get out of here. I live here. I live here on this block. Get me the fuck out of here” among other things. Officer Cristiano eventually said “Turn around. Turn the fuck around. You want to fucking act like this, you go to the hospital now.” The police called an ambulance and had the man taken to the hospital as an Emotionally Disturbed Person (EDP). The investigation report concluded that:

The investigation does not credit that by Mr. Thompson electing to, in PO Cristiano’s words, “fucking act like this,” PO Cristiano could have reasonably believed that Mr. Thompson presented a threat of serious injury to himself or others requiring that PO Cristiano forcibly detain him for his ultimate removal to a hospital. As a result, the investigation determined by a preponderance of evidence that PO Cristiano was not justified in doing so or, due to feeling “a little frustrated,” speaking discourteously to him in the process.

4. The New York Police Department (NYPD) has deemed substantiated that on or about February 10, 2020, Justin Cristiano committed the violations of Fail to Properly Search – Vehicle and Found Property – in Department Vehicle – Controlled Substance.
5. As of October 14, 2020, the CCRB has pending allegations that Justin Cristiano committed the violations of Force – Radio as Club and Force – Hit Against Inanimate Object. These allegations relate to a complaint made on April 30, 2020 about an incident on April 28, 2020.

Various publicly available websites and databases contain disciplinary information for certain law enforcement officers. Information in such databases about this officer is not necessarily included in this advisory.

Any information herein regarding civil lawsuits against an officer is not necessarily a complete list of civil lawsuits in which that officer is a defendant.

Allegations of misconduct that have not been substantiated and are not pending (including, but not limited to, findings of unsubstantiated, unfounded, and exonerated), and allegations of technical infractions, are not subject to disclosure and are not included in this advisory.

The decision to include information in this advisory does not represent a conclusion by the People that it is required to be disclosed.

The People reserve the right to oppose or move to limit the use of any information included herein or disclosed in the future.

If you have any questions, please contact the Assistant District Attorney assigned to the case on which you are receiving this advisory.

Date: November 12, 2020